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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,802	05/05/2007	Ben John Halford	MARK6011	1551

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EXAMINER

TOLAN, EDWARD THOMAS

ART UNIT	PAPER NUMBER
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3725

NOTIFICATION DATE	DELIVERY MODE
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09/09/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

alan@younglawfirm.com

Office Action Summary	Application No. 10/596,802	Applicant(s) HALFORD, BEN JOHN	
	Examiner EDWARD TOLAN	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8-21-2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trudell (2,280,359) in view of Pinson (4,212,188) and further in view of Laskowski et al. (5,796,620). Trudell discloses a tooling system comprising a plurality of elements (24) arranged in an array, each element being supported on a cross rail (16) and being movable relative to other elements in the array (pg. 1, col. 2, lines 35-39). Each element terminates in a threaded support post (18) and is associated with an aperture (pg. 1, col. 2, lines 11 and 12) in the cross rail (16). Trudell does not disclose that the aperture is threaded. Pinson teaches a threaded aperture in a cross rail (28) (col. 3, lines 25-27) through which threaded support posts (14) are movable to position elements (32) in an array. It would have been obvious to one skilled in the art at the time of invention to provide the cross rail of Trudell with threaded apertures as taught by Pinson in order to positively engage the support post or element as it is rotated.

Trudell in view of Pinson does not disclose a rotatable fork for driving the support post or elements of the array in rotation. Laskowski teaches a rotatable fork into which a support post (56) is positioned in order to drive the post through a support plate (44,48) to position an array element (65). Laskowski teaches (col. 13, lines 18-20) that

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the rotatable fork is an expandable collet and figure 4 shows that the collet has a head portion (shaft 76) which terminates in a tip with tines. An expandable collet has the ability to grip different sized objects and define a plurality of differently sized adjustment areas. Laskowski teaches that the collet is attached to driving means (85) that provides mass as an actuator to turn the support post. It would have been obvious to one skilled in the art at the time of invention to provide Trudell in view of Pinson with a rotatable fork element as taught by Laskowski in order to automatically drive the support posts to position the elements for forming.

Claims 3 and 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trudell (2,280,359) in view of Pinson (4,212,188) and further in view of Laskowski et al. (5,796,620) and further in view of Glasser (EP 0808555). Trudell in view of Pinson and Laskowski does not disclose a square headed fork. Glasser teaches a forked member (3) having four tines (1,2,7,8) and teaches multiple tined forks of different configurations for gripping sections of different shape (fig. 19). It would have been obvious to one skilled in the art at the time of invention to provide the fork of Trudell in view of Pinson and Laskowski with shaped tines as taught by Glasser in order to adapt the fork to different shaped support posts and elements.

Allowable Subject Matter

Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim (1) and intervening claim (8). The prior art of record does not disclose

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sensors for detecting the position of and measuring a force applied to an element in the array.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525. FAX communications should be sent to 571-273-8300.

/Edward Tolan/

Primary Examiner, Art Unit 3725